

REMARKS

Claims 1-4, 6-8, 10-11, and 13-33 are pending. Claims 14 and 17-31 have been withdrawn from consideration. Claims 1, 3, 15, 16, 18, and 20 are currently amended. Support for the limitation of R_f to $-C_4F_9$ in Formula (I) may be found, for example, on page 15, line 5 of the application as filed. Claims 5, 9, and 12 are currently cancelled.

The specification as filed on page 28, line 19 is currently amended to recite "NOVEC FC4430" in place of "NOVEC FC4432". Support for this amendment may be found, for example, on page 27, line 30 and Example 4 of the application as filed.

Reconsideration of the application is requested.

Applicants acknowledge and thank the Patent Office for the withdrawal of the restriction requirement with respect to claim 16.

§ 112 Rejections

Claims 1-4, 6-8, 10-11, 13, 15-16, 32, and 33 are rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

The Office Action asserts that in claims 1, 15, and 16, in formula (I), the terms "box", " R_f ", "R" and " R^2 " are indefinite in view of anteceding term "segments". See page 5. To advance prosecution, claims 1, 15, and 16 have been amended to remove the "hydrophobic segments" and "hydrophilic segments" in reference to the fluorinated nonionic surfactant. The fluorinated nonionic surfactant as recited in claims 1, 15, and 16, include "at least one unit of ...formula (I)".

The Office Action asserts that claim 3 is incomplete for omitting essential structural cooperative relationships of elements, specifically, "how the 'capture sites' are simultaneously 'covalently attached or hydrophobically attached to the solid phase material' and comprised in/to/into/at/from 'sorptive particles' is not clear". See page 5. To advance prosecution, claim 3 has been amended.

Accordingly, Applicants submit that the rejection of claims 1, 3, 15, and 16 under 35 USC § 112, second paragraph, has been overcome, and that the rejection should be withdrawn.

§ 103 Rejections

Claims 1, 2, 4, 7, 8, 10, 11, 13, 15, 16, 32 and 33 are rejected under 35 USC § 103(a) as being unpatentable over Anderson et al. (U.S. Pat. No. 6,653,151) in view of Fleming et al. (U.S. Pat. No. 6,503,564). Applicants have amended claims 1, 15, and 16 to recite a formula (I) wherein R_f is $-C_4F_9$. The Office Action has not shown the cited references to teach a fluorinated nonionic surfactant including at least one unit of formula (I) as recited in amended claim 1. Thus, Applicants submit that claims 1, 15, and 16 are patentable over Anderson et al. (U.S. Pat. No. 6,653,151) in view of Fleming et al. (U.S. Pat. No. 6,503,564) and request withdrawal of the rejection.

Based on the foregoing, Applicants respectfully submit that claims 1, 15 and 16 are allowable over the cited art. Because claims 2-4, 6-8, 10, 11, 13, 32 and 33 depend directly or indirectly from now allowable base claims 1, 15, or 16, Applicants submit that these dependent claims are in condition for allowance.

Rejoinder

Claims 18 and 20 have been amended to remove the "hydrophobic segments" and "hydrophilic segments" in reference to the fluorinated nonionic surfactant. Applicants have used the combination status identifier of "Withdrawn-Currently Amended" as authorized under 37 CFR 1.121. (*See, e.g.*, 68 Fed. Reg. 38617, col. 3, first full paragraph.)

Applicants respectfully request rejoinder and allowance of claims 18-21. Where, as here, the claims directed to an election are allowable, nonelected inventions that depend from or otherwise requires all the limitations of an allowable claim should be rejoined (MPEP § 821.04). Thus, Applicants respectfully submit that claims 18-21 should be rejoined and allowed as per current USPTO practice.

In view of the foregoing, Applicants submit that the present application is in condition for allowance. Reconsideration and allowance of the pending claims at an early date is solicited. If issues remain, the Examiner is invited to contact the Applicants' attorney at the telephone number provided below.

Respectfully submitted,

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